

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 24, 2005**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., O'Leary, J., Moore, J., Aronson, J., and Fybel, J. M. Urena, Deputy Clerk attending.

CIVIL	SOLE ENERGY COMPANY et al.
No.	v.
G030091	PETROMINERALS CORPORATION et al.
G031282	
G031877	Merits. Cause called. Ave Buchwald argued for appellant Nevadacor Energy,
G032002	Inc. Ravi Sudan argued for appellants Morris Hodges et al. Mark N. Mazda
G032102	argued for appellants Petrominerals Corporation et al. James F. Lindsay argued
G032255	for respondents. Cause submitted.

CIVIL	CLARA STEVENS et al.
No.	v.
G031564	CITY OF ANAHEIM

Merits. Cause called. K. Erik Friess argued for appellant. Joseph A. Ferrentino argued for respondents Vista Royal Homeowners Association et al. Robert J. Wolfe argued for respondents Clara Stevens et al. Robert L. Green argued for respondents Thomas Williams and Lesa Williams. Peter F. Musielski argued for respondents George Beyer et al. Eric J. Schindler for respondents Larry Friedman and Sherrie Friedman submitted on his brief. Joseph A. Ferrentino to submit to this court by February 10, 2005, a letter addressing the question of the citation to the memo and a letter addressing the possibility of further settlement. Cause to be submitted on February 10, 2005.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 24, 2005 (Cont'd)**

CRIM THE PEOPLE
No. v.
G032730 BRUCE ALLEN LYONS

Not for publication

Opinion filed. Judgment affirmed.

Rylaarsdam, Acting P.J.

We concur: Bedsworth, J.
 Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 25, 2005**

CRIM	THE PEOPLE	Not for publication
No.	v.	
G033050	JOSHUA LEE JAGEARS	

G034197	In re JOSHUA LEE JAGEARS on Habeas Corpus
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Opinion filed. Judgment affirmed as modified. Petition denied.
Aronson, J.

We concur: Rylaarsdam, Acting P.J.
Ikola, J.

CRIM	THE PEOPLE
No.	v.
G033189	ALEJANDRO MENTADO JIMENEZ

Order filed. Pursuant to rule 23(e)(1), California Rules of Court, submission of the above matter is hereby vacated, and appellant is invited to file a supplemental letter brief no later than March 11, 2005, limited to the effect, if any, of United States v. Booker (2005)___U.S.___[2005 Daily Journal D.A.R. 410] on this appeal. Respondent may file a response no later than April 11, 2005. Appellant may file a reply no later than April 25, 2005. The cause will be resubmitted thereafter.

Rylaarsdam, Acting P.J.

CIVIL	SHERRI LONG etc.	Not for publication
No.	v.	
G033471	JAMES PEARLE et al.	

Opinion filed. Judgment affirmed.
O’Leary, J.

We concur: Sills, P.J.
Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 26, 2005**

CIVIL CHAD SALISBURY
No. v.
G032270 COUNTY OF ORANGE et al.

Order filed. Pursuant to rule 23(e)(1), of the California Rules of Court, submission of the above matter is hereby vacated and the cause resubmitted as of this date for the period allowed by law to allow additional time for the preparation of the court's opinion.

Sills, P.J.

We concur: Rylaarsdam, J.
 Bedsworth, J.

CIVIL ROBERT M. GUNN
No. v.
G032304 MARINERS CHURCH, INC., et al.

Order filed. Pursuant to rule 23(e)(1) of the California Rules of Court, submission of the above-entitled matter is vacated to allow additional time to prepare an opinion. The matter is resubmitted as of this date for the period allowed by law.

Sills, P.J.

We concur: O'Leary, J.
 Aronson, J.

CRIM THE PEOPLE
No. v.
G033161 GEORGE THOMAS CHESKO

Not for publication

Opinion filed. Judgment reversed and remanded with directions.

O'Leary, J.

We concur: Sills, P.J.
 Fybel, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 26, 2005 (Cont'd)**

CRIM No. G033300	THE PEOPLE v. MICHAEL TRUONG DOAN	Not for publication
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Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: O’Leary, J.
Aronson, J.

CIVIL No. G033306	DENNIS MILES v. KATHY HOLBROOK et al.	Not for publication
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Opinion filed. Judgment affirmed.

Fybel, J.

We concur: Rylaarsdam, Acting P.J.
Bedsworth, J.

CIVIL No. G033591	ABDESHIR ZARMAHD v. MOHAMMAD B. MARDEBAN et al.	Not for publication
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Opinion filed. Judgment affirmed.

Bedsworth, J.

We concur: Rylaarsdam, Acting P.J.
Fybel, J.

CIVIL No. G033701	JACK MA v. 21 ST CENTURY INSURANCE COMPANY	Not for publication
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Opinion filed. Judgment affirmed.

Bedsworth, J.

We concur: Rylaarsdam, Acting P.J.
Fybel, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 26, 2005 (Cont'd)**

CIVIL	QUESTAR ENGINEERING, INC.	Not for publication
No.	v.	
G033790	JD2 INCORPORATED	

Opinion filed. Judgment reversed; post-judgment order reversed.
Ikola, J.

We concur: O'Leary, Acting P.J.
Aronson, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 27, 2005**

CRIM	THE PEOPLE	Certified for publication
No.	v.	
G031791	JEFFREY WAYNE MINOR	
G031792		

Opinion filed. Judgments affirmed.

O’Leary, J.

We concur: Sills, P.J.
Rylaarsdam, J.

CIVIL	OSCAR S. BUGARINI et al.	
No.	v.	
G031933	SALOMON SMITH BARNEY, INC., et al.	

Order filed. Pursuant to rule 23(e)(1) of the California Rules of Court, submission of the above-entitled matter is vacated to allow additional time to prepare an opinion. The matter is resubmitted as of this date for the period allowed by law.

O’Leary, Acting P.J.

We concur: Aronson, J.
Ikola, J.

CIVIL	PATRICK J. SCHACHLE	
No.	v.	
G032194	MERRILL LYNCH, PIERCE, FENNER & SMITH et al.	

Order filed. Pursuant to rule 23(e)(1) of the California Rules of Court, submission of the above-entitled matter is vacated to allow additional time to prepare an opinion. The matter is resubmitted as of this date for the period allowed by law.

O’Leary, Acting P.J.

We concur: Aronson, J.
Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 27, 2005 (Cont'd)**

CRIM No. G032729	THE PEOPLE v. JAMES HARPER	Not for publication
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Opinion filed. Judgment affirmed.

Ikola, J.

We concur: Rylaarsdam, Acting P.J.
O'Leary, J.

CRIM No. G033047	THE PEOPLE v. CESAR GUTIERREZ CHAVEZ	Not for publication
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Opinion filed. Order affirmed.

Aronson, J.

We concur: Bedsworth, Acting P.J.
O'Leary, J.

CRIM No. G033238	THE PEOPLE v. CRAIG ANDREW HUTCHINS
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Order filed. Pursuant to rule 23(e)(1) of the California Rules of Court, submission of the above-entitled matter is hereby vacated to allow additional time for the preparation of the court's opinion. This matter is resubmitted as of this date for the time permitted by law.

Rylaarsdam, Acting P.J.

We concur: Aronson, J.
Ikola, J.

CIVIL No. G033641	OLEN COMMERCIAL REALTY CORP. et al. v. COUNTY OF ORANGE	Not for publication
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Opinion filed. Judgment affirmed.

Moore, J.

We concur: Rylaarsdam, Acting P.J.
Fybel, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 27, 2005 (Cont'd)**

CIVIL No. G033779	ELIZABETH STONE et al. v. KAISER FOUNDATION HOSPITALS, INC. et al.	Not for publication
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Opinion filed. Judgment affirmed.

Bedsworth, J.

We concur: Rylaarsdam, Acting P.J.
Moore, J.

CRIM No. G034245	THE PEOPLE v. SERGIO QUIROZ	Not for publication
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Opinion filed. Judgment affirmed.

Aronson, J.

We concur: O'Leary, Acting P.J.
Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 28, 2005**

CIVIL	DONALD COOK	Certified for publication
No.	v.	
G031326	CITY OF BUENA PARK	

Opinion filed. Judgment affirmed.

Aronson, J.

I concur: Ikola, J.
I concur: Bedsworth, Acting P.J.

CRIM	THE PEOPLE	
No.	v.	
G032440	STEVEN ROBERT MILLER	

Order filed. Pursuant to rule 23(e)(1) of the California Rules of Court, submission of the above-entitled matter is vacated and the cause resubmitted as of this date for the period allowed by law to allow additional time for the preparation of the court's opinion.

Rylaarsdam, Acting P.J.

We concur: O'Leary, J.
Moore, J.

CRIM	THE PEOPLE	
No.	v.	
G032526	SAUNOA UTU PUA	

Not for publication

Opinion filed. Judgment affirmed.

Aronson, J.

We concur: O'Leary, Acting P.J.
Fybel, J.

CRIM	THE PEOPLE	
No.	v.	
G032773	ELDRIDGE WILLIAMS	

Not for publication

Opinion filed. Judgment affirmed.

Aronson, J.

We concur: Rylaarsdam, Acting P.J.
Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
January 28, 2005 (Cont'd)**

CIVIL No. G033467	DUAIN CRUZAT v. SANTA ANA UNIFIED SCHOOL DISTRICT	Not for publication
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Opinion filed. Judgment reversed.

Aronson, J.

We concur: Sills, P.J.
Ikola, J.

CIVIL No. G033727	DANIEL E. HENRY v. SHELLEY A. REISSMUELLER	Certified for partial publication
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Opinion filed. Order affirmed in part, reversed in part, and remanded with directions.

Fybel, J.

We concur: Rylaarsdam, Acting P.J.
Moore, J.

CIVIL No. G034073	ORANGE COUNTY SOCIAL SERVICES AGENCY v. RODOLFO V.	Not for publication
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Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: O'Leary, J.
Fybel, J.